

REDACTED PUBLIC VERSION

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

APPLICATION TO ASSIGN LICENSES FROM
MARITIME COMMUNICATIONS/LAND
MOBILE, LLC, DEBTOR-IN-POSSESSION, TO
CHOCTAW HOLDINGS, LLC

For Commission Consent to the Assignment of Various
AMTS Authorizations

)
)
) WT Docket No. 13-85

) File No. 0005552500

) Accepted / Filed

)
)
) NOV - 9 2015

) Federal Communications Commission
) Office of the Secretary

To: The Commission

SUPPLEMENT TO PETITION FOR RECONSIDERATION

Choctaw Telecommunications, LLC and Choctaw Holdings, LLC (hereinafter "Choctaw") hereby supplement their Petition for Reconsideration ("Petition") in the captioned proceeding to update the Commission regarding recent factual developments directly relevant to the pending Petition and underlying application.¹ These recent factual developments relate directly to arguments made by the Enforcement Bureau during the pleading cycle and could not have been presented during the pleading cycle.

The Petition sought reconsideration of the denial of *Second Thursday* relief, which the Commission based on the assumption that a grant would benefit Donald DePriest, an alleged wrongdoer, because it would eliminate his obligation to repay various loan guarantees.² Because the decision recognized that no preclusive benefit is created if "the wrongdoer's debts would still exceed his assets,"³ such that the wrongdoer is 'judgment-proof,'⁴ Choctaw provided

¹ Petition for Reconsideration filed by Choctaw Telecommunications, LLC and Choctaw Holdings, LLC, WT Docket No. 13-85 (Oct. 14, 2014) ("Choctaw Petition").

² Petition at 2, 7-9; Reply to Oppositions at 1-3.

³ *Maritime Communications/Land Mobile, LLC, Debtor-in-Possession*, Memorandum Opinion and Order, 29 FCC Rcd 10871, 10879 n.60 (2014) ("MO&O").

⁴ *Id.* at n.63 (quoting *LaRose v. FCC*, 494 F.2d 1145, 1149 (D.C. Cir. 1974)).

No. of Copies rec'd 0
List ABCDE

REDACTED PUBLIC VERSION

detailed information demonstrating that Mr. DePriest is judgment-proof because (i) his liabilities grossly exceed his total assets and (ii) he had been forced into involuntary bankruptcy.⁵

The Enforcement Bureau opposed reconsideration, arguing primarily that the involuntary bankruptcy proceeding does not warrant reconsideration because the status of Mr. DePriest's loan guarantees will be unknown until the bankruptcy process concludes.⁶ The purpose of this supplement is to notify the Commission that the bankruptcy process has concluded and the guarantees at issue have been extinguished.⁷ Accordingly, the Bureau's concern is now moot and a grant of *Second Thursday* relief will not benefit Donald DePriest, an alleged wrongdoer in the proceeding.

Choctaw urges the Commission to act expeditiously and grant reconsideration. Grant of *Second Thursday* relief will accommodate bankruptcy law and protect innocent creditors. Although the Enforcement Bureau also previously expressed concern that a grant of *Second Thursday* relief may not benefit unsecured creditors,⁸ Choctaw will be able to repay all of MCLM's creditors fully – both secured and unsecured – consistent with the Reorganization Plan approved by the Bankruptcy Court if relief is granted. In this regard, the current debt associated

⁵ Petition at 2, 7-9; Reply to Oppositions at 1-3.

⁶ Bureau Opposition at 2-4.

⁷ On October 27, 2015, the court issued a Debtor Discharge Order granting Donald R. DePriest a discharge of his debts and obligations pursuant to section 727 of title 11 of the United States Code (the "Bankruptcy Code"). A discharge under section 727 of the Bankruptcy Code discharges Mr. DePriest from "all debts that arose before the date of the order for relief under this chapter...whether or not a proof of claim based on any such debt or liability is filed under section 501 of this title, and whether or not a claim based on any such debt or liability is allowed under section 502 of this title." 11 U.S.C. § 727(b). Therefore, all of Mr. DePriest's debts that existed as of his bankruptcy petition date, September 19, 2014, including without limitation all guaranty obligations, have now been discharged and the creditors holding those claims have no right to pursue or seek recovery on those claims. See Chapter 7 Discharge of Debtor Order, Donald R. DePriest, U.S. Bankruptcy Court Northern District of Mississippi, Case No. 14-13522-JDW (Oct. 27, 2015) (attached as Exhibit 1); see also Schedules F & H to the Chapter 7 Filing, Case No. 14-13522-JDW (listing MCLM loan guarantees)(attached as Exhibit 2).

⁸ Bureau Opposition at 2-4.

REDACTED PUBLIC VERSION

with the bankrupt MCLM now stands at approximately \$33.6 million.⁹ Approximately [REDACTED] in transactions involving MCLM's geographic licenses currently are pending before the Commission.¹⁰ If *Second Thursday* relief is granted, these transactions can close and the revenue will be used to repay creditors as part of the reorganization plan approved by the MCLM bankruptcy court. As a result, the amount necessary to repay creditors in full would be reduced to [REDACTED]. Choctaw believes that the value of the remaining portion of the 4 geographic licenses would be more than sufficient to fully repay this amount.¹¹

Further, the Reorganization Plan (as modified by the Confirmation Order) provides for repayment in the following manner, which ensures that creditors not involved with Choctaw will be fully repaid:

- A preferential payment of the first \$600,000 in proceeds from any license sales to the unsecured creditors. This payment must be made before any distribution to Choctaw.
- The Implementation of an Independent Liquidating Agent, which was selected by counsel for the Creditors Committee. This Liquidating Agent will collect and distribute funds according to the Reorganization Plan, and ensure that Choctaw performs its obligations.
- The grant of a stock pledge in favor of the Liquidating Agent, which in effect makes the non-Choctaw creditors secured in the licenses.
- If the Liquidating Agent determines that Choctaw is not moving quickly enough to repay these other creditors, it may foreclose on the stock pledge and (subject to FCC approval) take control of Choctaw Holdings.

⁹ This figure includes approximately [REDACTED]

¹⁰ There are additional transactions involving site-based licenses, but those remain subject to the outcome of Issue (g) in the pending MCLM hearing. Because of the uncertainty over these licenses, they are not included in the valuation calculations.

¹¹ See Exhibit 3. Choctaw is committed to ensuring that all licenses it retains are in full compliance with the Commission's rules and revenue generated from sales that is not necessary to repay creditors can be used to complete buildout of the geographic licenses.

REDACTED PUBLIC VERSION

For the foregoing reasons, coupled with the long-recognized importance of accommodating bankruptcy law and protecting innocent creditors, Choctaw urges a prompt grant of *Second Thursday* relief on reconsideration.

Respectfully submitted,
CHOCTAW TELECOMMUNICATIONS, LLC
CHOCTAW HOLDINGS, LLC

By:

A handwritten signature in blue ink, appearing to read "David H. Solomon", is written over a horizontal line.

David H. Solomon

Robert G. Kirk

WILKINSON BARKER KNAUER, LLP

1800 M Street, NW Suite 800N

Washington, DC 20036

202.783.4141

Their Attorneys

November 9, 2015

REDACTED PUBLIC VERSION

EXHIBIT 1

B18 (Official Form 18) (12/07)

United States Bankruptcy Court

Northern District of Mississippi

Case No. 14-13522-JDW

Chapter 7

In re Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address):

Donald R. DePriest
510 7th Street North
Columbus, MS 39701

Social Security / Individual Taxpayer ID No.:

xxx-xx-8438

Employer Tax ID / Other nos.:

DISCHARGE OF DEBTOR

It appearing that the debtor is entitled to a discharge,

IT IS ORDERED:

The debtor is granted a discharge under section 727 of title 11, United States Code, (the Bankruptcy Code).

BY THE COURT

Dated: 10/27/15

Jason D. Woodard
United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION.

EXPLANATION OF BANKRUPTCY DISCHARGE IN A CHAPTER 7 CASE

This court order grants a discharge to the person named as the debtor. It is not a dismissal of the case and it does not determine how much money, if any, the trustee will pay to creditors.

Collection of Discharged Debts Prohibited

The discharge prohibits any attempt to collect from the debtor a debt that has been discharged. For example, a creditor is not permitted to contact a debtor by mail, phone, or otherwise, to file or continue a lawsuit, to attach wages or other property, or to take any other action to collect a discharged debt from the debtor. *[In a case involving community property:* There are also special rules that protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.] A creditor who violates this order can be required to pay damages and attorney's fees to the debtor.

However, a creditor may have the right to enforce a valid lien, such as a mortgage or security interest, against the debtor's property after the bankruptcy, if that lien was not avoided or eliminated in the bankruptcy case. Also, a debtor may voluntarily pay any debt that has been discharged.

Debts That are Discharged

The chapter 7 discharge order eliminates a debtor's legal obligation to pay a debt that is discharged. Most, but not all, types of debts are discharged if the debt existed on the date the bankruptcy case was filed. (If this case was begun under a different chapter of the Bankruptcy Code and converted to chapter 7, the discharge applies to debts owed when the bankruptcy case was converted.)

Debts That are Not Discharged

Some of the common types of debts which are not discharged in a chapter 7 bankruptcy case are:

- a. Debts for most taxes;
- b. Debts incurred to pay nondischargeable taxes;
- c. Debts that are domestic support obligations;
- d. Debts for most student loans;
- e. Debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- f. Debts for personal injuries or death caused by the debtor's operation of a motor vehicle, vessel, or aircraft while intoxicated;
- g. Some debts which were not properly listed by the debtor;
- h. Debts that the bankruptcy court specifically has decided or will decide in this bankruptcy case are not discharged;
- i. Debts for which the debtor has given up the discharge protections by signing a reaffirmation agreement in compliance with the Bankruptcy Code requirements for reaffirmation of debts; and
- j. Debts owed to certain pension, profit sharing, stock bonus, other retirement plans, or to the Thrift Savings Plan for federal employees for certain types of loans from these plans.

This information is only a general summary of the bankruptcy discharge. There are exceptions to these general rules. Because the law is complicated, you may want to consult an attorney to determine the exact effect of the discharge in this case.

REDACTED PUBLIC VERSION

EXHIBIT 2

B6F (Official Form 6F) (12/07)

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
Alabama Department of Economic & Community Affairs Attn: Legal or Bankruptcy Dept. P.O. Box 5690 Montgomery, AL 36103-5690						2,947,889.74
Account No.						
Parnell & Crum, PA P.O. Box 2189 Montgomery, AL 36102						Notice Only
Account No.						
Bank of America P.O. Box 15019 Wilmington, DE 19886						15,000.00
Account No.						
Bank of America P.O. Box 25118 Tampa, FL 33633						Notice Only
Subtotal (Total of this page)						2,962,889.74

14 continuation sheets attached

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B I T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. xxxxx5676 Bank of Vernon PO Box 309 Vernon, AL 35592		deficiency on loan upon which all collateral was foreclosed in 2009; exact amount unknown (orig. note before foreclosure \$3,578,153.94)				Unknown
Account No. Bank of Vernon PO Box 309 Vernon, AL 35592		Deficiency on American Nonwovens Corp. (collateral foreclosed 2006) loan upon which debtor was obligated on personal guaranty (orig amt. \$10,000,000)				Unknown
Account No. xxxxxxxxxxxx0123 Bank of Vernon Mastercard P.O. Box 30495 Tampa, FL 33630		misc purchases/charges				1,600.00
Account No. Bart Wise 101 Arrington Blvd Columbus, MS 39702	X	personal guaranty on loan				141,322.95
Account No. John W. Crowell, Esquire P.O. Box 1827 Columbus, MS 39703-1827		Representing: Bart Wise				Notice Only
Sheet no. 1 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 142,922.95

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.			misc				
Baulch & Bingham 1901 Sixth Avenue North Suite 1500 Birmingham, AL 35203-4642		-					500,000.00
Account No.			Judgment				
BNA Bank P.O. Box 811 New Albany, MS 38652		-					797,405.95
Account No.			Representing: BNA Bank				Notice Only
Rutledge, Davis & Harris, PLLC P.O. Box 29 New Albany, MS 38652-0029							
Account No.			December 1, 2005 personal guaranty on loan				
Bruce A. Davis 7800 Indian Springs Drive Nashville, TN 37221		X -					80,000.00
Account No.			personal guaranty on loan				
C. Chris Dupree 2660 Montgomery Highway Dothan, AL 36303		-					0.00
Sheet no. 2 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							Subtotal (Total of this page) 1,377,405.95

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	H W J C	Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I T A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No.							
Bill D. Bensinger, Esquire Baker DonelsonBearmanCaldwell&Berkowit z 420 20th Street N., Ste. 1600 Birmingham, AL 35203			Representing: C. Chris Dupree				Notice Only
Account No.			signature loan				
Citizens National Bank 512 22nd Avenue Meridian, MS 39301		-					50,000.00
Account No.			September 9, 2013 Judgment/personal guaranty				
Clark Bullock and Whitney Bullock 275 Oak Summitt Road Millbrook, NY 12545		X -					366,498.38
Account No.							
David E. Weiss, Esquire Sills Cummis & Gross PC 30 Rockefeller Plaza New York, NY 10112			Representing: Clark Bullock and Whitney Bullock				Notice Only
Account No.			personal guaranty on loan				
David Shelton 1602 Forest Hill Drive Columbus, MS 39701		X -					125,000.00
Sheet no. 3 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							541,498.38

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. Douglas C. Sellers P.O. Box 589 Montgomery, AL 36101-0589	X -	March 26, 2009 personal guaranty on loan				42,764.00
Account No. Dove Roofing 1025 N. Lehmberg Road Columbus, MS 39701	-	misc services				5,000.00
Account No. Edna H. Smith 501 7th Street North Columbus, MS 39701	-	June 23, 2009 Judgment				43,984.00
Account No. Elton S. Thomas, Jr. 1701 Bramblewood Drive Columbus, MS 39705	-	misc unsecured debt				250,000.00
Account No. Estate of Ben Martin, III	-	misc./signature loan				400,000.00
Sheet no. 4 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 741,748.00

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		misc./ signature loan				
Estate of Jim Trummer	-					50,000.00
Account No.		misc/signature loan				
Estate of Logan Young	-					1,000,000.00
Account No.		personal guaranty				
Estate of Russell Kyle	-					50,000.00
Account No.		Judgment				
Fifth Third Bank, NA 424 Church Street Nashville, TN 37219	-					298,472.45
Account No.		personal guaranty				
First National Bank of Talladega 120 East North Street Talladega, AL 35160	-					400,000.00
Sheet no. <u>5</u> of <u>14</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 1,798,472.45

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. Fred C. Goad 112 Westwood Place Brentwood, TN 37027		X -	November 3, 2008 Judgment Judgment/personal guaranty				191,598.00
Account No. Gary L. Geeslin P.O. Box 621 Columbus, MS 39703		-	misc services/misc loan				50,000.00
Account No. George Newman P.O. Box 570 Vernon, AL 35592		-	signature loan				500,000.00
Account No. Graceba Total Communications, Inc. 2660 Montgomery Highway Dothan, AL 36303		X -	December 29, 2005 Guaranty of corporate debt				2,782,293.00
Account No. Harrison Shull 714 Lynnbrook Road Nashville, TN 37215		X -	November 2, 2005 personal loan				177,000.00

Sheet no. **6** of **14** sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page)

3,700,891.00

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.			Judgment June 16, 2011 Judgment				
Hill & Minyard, PA 1210 Office Park Drive, Ste. 301 Oxford, MS 38655		-					42,431.83
Account No. xx3107			deficiency; foreclosed on collateral 2010				
Home Bank f/k/a Britton & Koontz Bank 503 Kaliste Saloom Road Lafayette, LA 70508-4203		-					349,251.00
Account No.			Judgment October 16, 2012 Judgment				
J.D. Fields & Co., Inc. 55 Waugh Dirve, Ste. 1250 Houston, TX 77007		X -					364,330.61
Account No.			September 20, 2005 personal guaranty on loan				
James L. Teel 500 North Interlochen Winter Park, FL 32789		X -					310,034.00
Account No.			Representing: James L. Teel				
John W. Crowell, Esquire P.O. Box 1827 Columbus, MS 39703-1827							Notice Only
Sheet no. 7 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims							
Subtotal (Total of this page)							1,066,047.44

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. James Tatum 4700 Looney Sprigs Road Birmingham, AL 35243		X -	November 29, 2005 personal guaranty on loan				88,500.00
Account No. John Prince		-	misc unsecured debt				250,000.00
Account No. Justin Shelton 811 6th Ave. N. Columbus, MS 39701		X -	June 26, 2009 personal guaranty on loan				299,399.00
Account No. Craig M. Geno, Esquire 787 Highland Colony Park Parkway Ridgeland, MS 39157			Representing: Justin Shelton				Notice Only
Account No. Lucius E. Burch, III 102 Woodmont Blvd., Suite 320 Nashville, TN 37205		-	misc signature loans				548,000.00
<div>Sheet no. 8 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims</div> <div>Subtotal (Total of this page)</div>							1,185,899.00

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. Lynette McCary 2109 Williamsburg Way Birmingham, AL 35223		X -	November 23, 2005 personal guaranty on loan				177,000.00
Account No. Maritime Communications Group 81 Windsor Blvd. Columbus, MS 39702		X -	September 20, 2005 signature/personal guaranty				141,323.00
Account No. Michael P. Dunn P.O. Box 589 Montgomery, AL 36124-1858		X -	May 26, 2009 personal guaranty on loan				85,528.00
Account No. Mitchell, McNutt & Sams P.O. Box 7120 Tupelo, MS 38802-7120		-	misc services				90,000.00
Account No. Oliver Phillips 81 Windsor Blvd. Columbus, MS 39702		-	Judgment				9,133,230.00
<div>Sheet no. 9 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims</div> <div>Subtotal (Total of this page)</div>							9,627,081.00

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	H W J C	Husband, Wife, Joint, or Community DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No.							Notice Only
John Crowell, Esquire Crowell, Gillis & Cooper, PLLC P.O. Box 1827 Columbus, MS 39703-1827			Representing: Oliver Phillips				
Account No. xxxx9560			November 26, 2007 loan/guaranty				2,350,000.00
Pinnacle Bank 150 Third Avenue South Nashville, TN 37201	X	-					
Account No.			deficiency				200,000.00
Priority One Bank P.O. Box 18409 Hattiesburg, MS 39402		-					
Account No.			December 29, 2005 personal guaranty				3,045,665.00
R. Hayne Hollis, III 116 Loftin Road Dothan, AL 36303	X	-					
Account No.			deficiency personal guaranty				900,000.00
Regions Bank Attn: Bankruptcy Dept. P.O. Box 10063 Birmingham, AL 35202-0063		-					
Subtotal (Total of this page)							6,495,665.00

Sheet no. **10** of **14** sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	H U S B A N D W I F E J O I N T O R	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No. Republic Bank & Trust 601 S. Hurstbourne Lane Louisville, KY 40222				Judgment				382,268.00
Account No. Jones Walker, LLP Attn: Chad J. Hammons P.O. Box 427 Jackson, MS 39205				Representing: Republic Bank & Trust				Notice Only
Account No. Retzer Resources, Inc. 1215 S. Main Street Greenville, MS 38701		X		Judgment June 15, 2010 Judgment/personal guaranty				250,000.00
Account No. Rhonda Wallace 1615 Cooper Creek Lane Franklin, TN 37064-9336				misc/signature loan				500,000.00
Account No. Richard Schwartz				misc unsecured debt				500,000.00
<div>Sheet no. 11 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims</div> <div>Subtotal (Total of this page)</div>								1,632,268.00

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. Roger Larson	-	misc. unsecured debt				150,000.00
Account No. Scott Poindexter P.O. Box 37 Inverness, MS 38753-0037	-	misc./signature loan				50,000.00
Account No. Sextons, Inc. 400 Water Street NE Decatur, AL 35601	-	Judgment August 27, 2012 Judgment/guaranty				445,771.21
Account No. Leland Murphree, Maynard Cooper &Gale PC 1901 6th Ave. North, Ste. 2400 Birmingham, AL 35243		Representing: Sextons, Inc.				Notice Only
Account No. Steve Charles	-	misc unsecured loan				110,000.00
Sheet no. 12 of 14 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 755,771.21

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	H U S B A N D, W I F E, J O I N T, O R C O M M U N I T Y	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
Account No.			signature loan				500,000.00
Timothy Butler 438 Aldridge Road Caledonia, MS 39740-9578	-						
Account No.			December 29, 2005 Guaranty for corporate debt				3,045,665.00
Watson & Downs Investments, LLC 488 Ross Clark Circle Dothan, AL 36303	X -						
Account No.			Judgment January 7, 2008 Judgment				118,000.00
Western Nonwovens, Inc. 966 East Sandhill Avenue Carson, CA 90746	-						
Account No.			signature loan				500,000.00
Wilbur Colom P.O. Box 866 Columbus, MS 39703	-						
Account No.			Judgment May 13, 2011 Judgment				251,671.00
William Frist 1216 Canterbury Drive Nashville, TN 37205	-						
Subtotal (Total of this page)							4,415,336.00

Sheet no. **13** of **14** sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

B6F (Official Form 6F) (12/07) - Cont.

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E D E B T O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
			DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.			personal guaranty				250,000.00
William Isaacson 5301 Wisconsin Ave. N.W. Washington, DC 20015	X	-					
Account No.							
Account No.							
Account No.							
Account No.							

Sheet no. **14** of **14** sheets attached to Schedule of
Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page)

250,000.00

Total
(Report on Summary of Schedules)

36,693,896.12

In re **Donald R. DePriest**

Case No. **14-13522**

Debtor

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Lucius E. Burch, III 102 Woodmont Blvd., Suite 320 Nashville, TN 37205	Pinnacle Bank 150 Third Avenue South Nashville, TN 37201
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Justin Shelton 811 6th Ave. N. Columbus, MS 39701
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Michael P. Dunn P.O. Box 589 Montgomery, AL 36124-1858
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Harrison Shull 714 Lynnbrook Road Nashville, TN 37215
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Douglas C. Sellers P.O. Box 589 Montgomery, AL 36101-0589
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Bruce A. Davis 7800 Indian Springs Drive Nashville, TN 37221
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Lynette McCary 2109 Williamsburg Way Birmingham, AL 35223
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	James Tatum 4700 Looney Sprigs Road Birmingham, AL 35243
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	James L. Teel 500 North Interlochen Winter Park, FL 32789
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Maritime Communications Group 81 Windsor Blvd. Columbus, MS 39702
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Fred C. Goad 112 Westwood Place Brentwood, TN 37027
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	R. Hayne Hollis, III 116 Loftin Road Dothan, AL 36303

In re **Donald R. DePriest**

Debtor

Case No. **14-13522**

SCHEDULE H - CODEBTORS
(Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Graceba Total Communications, Inc. 2660 Montgomery Highway Dothan, AL 36303
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Retzer Resources, Inc. 1215 S. Main Street Greenville, MS 38701
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Clark Bullock and Whitney Bullock 275 Oak Summitt Road Millbrook, NY 12545
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Watson & Downs Investments, LLC 488 Ross Clark Circle Dothan, AL 36303
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	William Isaacson 5301 Wisconsin Ave. N.W. Washington, DC 20015
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	David Shelton 1602 Forest Hill Drive Columbus, MS 39701
Maritime Communications/Land Mobile, LLC P.O. Box 1076 Columbus, MS 39703	Bart Wise 101 Arrington Blvd Columbus, MS 39702
Penelore Corporation P.O. Box 1076 Columbus, MS 39703	J.D. Fields & Co., Inc. 55 Waugh Drive, Ste. 1250 Houston, TX 77007

EXHIBIT 3
DECLARATION OF PATRICK TRAMMELL

These geographic licenses comprise approximately 161.7 million MHz/pops, which represents the approximately 186 million MHz/pops estimated by the FCC as covered by the licenses at the time of auction, less the MHz pops being sold as part of the pending transactions previously referenced. A Fair Market Valuation referenced during the MCLM bankruptcy proceeding and prepared by an independent third party – Bond & Pecaro – for an MCLM creditor in 2008 estimated the value of the licenses to be [REDACTED]. The Southern California Regional Rail Authority transaction recently approved by the Commission valued the spectrum at [REDACTED]. The proper value of the geographic licenses likely is midway between the SCRRA and Bond & Pecaro values [REDACTED].

November 9, 2015

REDACTED PUBLIC VERSION

CERTIFICATE OF SERVICE

I, Paula M. Lewis, do hereby certify that on this 9th day of November 2015, the foregoing Motion for Leave and redacted Supplement to Choctaw's Petition for Reconsideration were filed via ECFS and served by first class mail, postage prepaid, on the following persons:

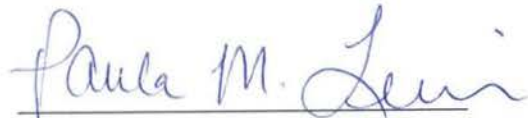
Pamela A. Kane
Investigations and Hearing Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-C330
Washington, DC 20554

Michael Engel
Market Disputes Resolution Division
Enforcement Bureau
Federal Communications Commission
445 12th Street, S.W., Room 4-C366
Washington, DC 20554

Robert J. Keller
Law Offices of Robert J. Keller, P.C.
P.O. Box 33428
Washington, DC 20033
Counsel for Maritime Communications/ Land
Mobile LLC

Sandra DePriest
Maritime Communications/Land Mobile LLC
510 N. 7th St.
Columbus, MS 39701

Warren Havens
2509 Stuart Street
Berkeley, CA 94705


Paula M. Lewis